

ATTACHMENT 6

Attached please find updated versions of Attachment 26-1 and Attachment 26-2 incorporating the number of customers and the total formal complaints and lawsuits by entity.

ATTACHMENT 26-1

FORMAL CUSTOMER COMPLAINTS FOR APPLICANT AND AFFILIATES

Applicant states whether it is the subject of any lawsuits filed in a court of law or formal complaints filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations, identifying the name, case number, and jurisdiction of each such lawsuit or complaint. [19-110(d)]







Applicant discloses all formal complaints against Applicant or any of its affiliates, within four years of filing this application.

ATTACHMENT 26-1







FORMAL CUSTOMER COMPLAINTS FOR APPLICANT AND AFFILIATES

Date Complaint was Filed	Parties to the Complaint	Case Number	Venue of Complaint	Nature of Complaint	Current Status of Complaint	Number of Customers
June 1, 2011	Paul & Loretta London	C-2011-2244309	Pennsylvania Public Utility Commission	Customer believed the he was guaranteed a 14.5% savings.	Closed. After a hearing on November 8, 2011, the Administrative Law Judge dismissed all claims.	[REDACTED]
	Viridian Energy PA LLC					
June 24, 2011	Daniel Devlin	Docket # 07-06-13	Connecticut Public Utilities Regulatory Authority	Customer felt that he was being charged at a rate in excess of his contracted price.	Closed. The case was settled and closed informally on June 20, 2012.	[REDACTED]
	Public Power, LLC					
April 16, 2012	Mark Esposito	Docket # A-2009-2143245	Pennsylvania Public Utility Commission	Customer felt that he should have been charged at a lower rate.	Closed. The case was dismissed by the Administrative Law Judge on August 28, 2012.	[REDACTED]
	Public Power, LLC					
May 23, 2012	Lisa Bailey	C-2012-2305808	Pennsylvania Public Utility Commission	Customer felt that her bill was too high and wants her home meter to be checked.	Closed. Claimant dismissed her claim and a Certificate of Satisfaction was filed on October 1, 2012.	[REDACTED]
	Viridian Energy PA LLC					
October 22, 2012	Bruce Ellis	C-2012-2332723	Pennsylvania Public Utility Commission	Customer felt that he did not receive promised benefits.	The case was settled in January 2013.	[REDACTED]
	Public Power, LLC					
December 4, 2012	Norman Hum	C-2012-2337313	Pennsylvania Public Utility Commission	Customer felt that he was misled by an authorized sales agent.	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on March 6, 2013	[REDACTED]
	Public Power, LLC					







ATTACHMENT 6

July 7, 2013	Dennis Drury	Docket # 41568	Texas Public Utility Commission	Customer felt "Oncor" and TriEagle improperly assessed TCRFs.	Closed. Dennis Drury's complaint against Oncor Electric Delivery Company, LLC, and TriEagle Energy was denied by The Commission.	
	TriEagle Energy, LP					
November 21, 2013	Mary Ann Solensky	C-2013-2393578	Pennsylvania Public Utility Commission	Customer believed she had enrolled in rate guaranteed to be 15% below the utility in perpetuity.	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on December 4, 2013.	
	Public Power, LLC					
December 6, 2013	Chiu Cheng	13-2358-EL-CSS	Public Utilities Commission of Ohio	Customer believed that he did not authorize enrollment with Public Power.	Closed. Public Power provided proof that the Complainant authorized enrollment with Public Power. The case was settled informally and dismissed by the PUCO on April 16, 2014.	
	Public Power, LLC					
February 18, 2014	Napoleon Walton	2014-9075181	Public Service Commission of D.C.	Customer believed that he did not authorize enrollment with Public Power.	Closed. Public Power provided proof that the Complainant authorized enrollment with Public Power. The case was settled informally on April 4, 2014.	
	Public Power, LLC					
March 10, 2014	William Mollet	Docket # 42296	Texas Public Utility Commission	Customer felt "Oncor" and TriEagle regarding usage, billing irregularities, and subsequent negative reporting bureau items.	Closed. William Mollet filed two motions withdrawing his complaints against TriEagle Energy, LP and Oncor Electric Delivery Company, LLC.	
	TriEagle Energy, LP					
March 14, 2014	Sharon & David Thieme	C-2014-2410078	Pennsylvania Public Utility Commission	Customer was dissatisfied with their variable rate	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on April 3, 2014.	
	Public Power, LLC					




ATTACHMENT 6

March 14, 2014	Michelle Coughlin	C-2014-2410080	Pennsylvania Public Utility Commission	Customer was dissatisfied with her variable rate	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on April 3, 2014.	
	Public Power, LLC					
March 14, 2014	C. Scott & Sandra Schaeffer	C-2014-2410079	Pennsylvania Public Utility Commission	Customer was dissatisfied with their variable rate	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on April 3, 2014.	
	Public Power, LLC					
April 2, 2014	Suzanne Kohler	C-2014-2413747	Pennsylvania Public Utility Commission	Customer was dissatisfied with her variable rate.	Closed. This case was settled informally and Viridian filed a Certificate of Satisfaction on April 16, 2014.	
	Viridian Energy PA LLC					
April 2, 2014	Michael Lalli	C-2014-2413749	Pennsylvania Public Utility Commission	Customer was dissatisfied with his variable rate.	Closed. This case was settled informally and Viridian filed a Certificate of Satisfaction on April 17, 2014.	
	Viridian Energy PA LLC					
April 23, 2014	Tuyen D. Nguyen	C-2014-2417563	Pennsylvania Public Utility Commission	Customer disputed enrollment in a variable rate.	Closed. Public Power provided proof that the Complainant agreed to a variable rate. This case was settled informally and Public Power filed a Certificate of Satisfaction on August 22, 2014.	
	Public Power, LLC					
May 5, 2014	Jamie Linhart	C-2014-2419117	Pennsylvania Public Utility Commission	Customer was dissatisfied with her variable rate.	Closed. This case was settled informally and Viridian filed a Certificate of Satisfaction on May 27, 2014.	
	Viridian Energy PA LLC					

ATTACHMENT 6

July 7, 2014	Lawrence E. Dowler	14-1195-EL-CSS	Public Utilities Commission of Ohio	Customer disputed his electricity rates.	Closed. The case was settled informally and dismissed by the PUCO on January 14, 2015.	
	Cincinnati Bell Energy, LLC					
August 28, 2014	George Anastos	F-2014-2439831	Pennsylvania Public Utility Commission	Customer was dissatisfied with his variable rate.	Closed. This case was settled informally and Viridian filed a Certificate of Satisfaction on September 15, 2014.	
	Viridian Energy PA, LLC					
September 29, 2014	Tony Randle	14-0587	Illinois Commerce Commission	Customer did not believe his renewal letter provided sufficient notice that his fixed rate was ending.	Closed. This case was settled informally and dismissed by the ICC on March 12, 2015.	
	Viridian Energy PA, LLC					
October 15, 2014	John A Lynch	C-2014-2447769	Pennsylvania Public Utility Commission	Customer did not want to pay an early termination fee for terminating his fixed rate contract.	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on October 20, 2014.	
	Public Power LLC					
November 17, 2014	Andrew Katz	C-2014-2447801	Pennsylvania Public Utility Commission	Customer was dissatisfied with his variable rate.	Closed. This case was settled informally and Public Power filed a Certificate of Satisfaction on December 2, 2014.	
	Public Power LLC					
February 5, 2015	Lawrence and Sandra Frankel	C-2015-2465893	Pennsylvania Public Utility Commission	Customer claimed that they did not authorize enrollment with Viridian and expressed dissatisfaction with their variable rate.	Closed. Viridian provided proof of enrollment. This case was settled informally and Viridian filed a Certificate of April 6, 2014.	
	PECO Energy Company/Viridian Energy PA LLC					

ATTACHMENT 6

February 27, 2015	Roberto Castellano	C-2015-2465142	Pennsylvania Public Utility Commission	Customer was dissatisfied with his variable rate and an overall increase in his electric bill.	Closed. Public Power provided proof that the Complainant enrolled in a variable rate. This case was settled informally and Public Power filed a Certificate of Satisfaction on March 18, 2015.	
	Public Power LLC					
February 27, 2015	Michael Rizzo	C-2015-2469134	Pennsylvania Public Utility Commission	Customer was dissatisfied with his variable rate and the PA PUC.	Public Power attempted to reach out to the Complainant several times, but was unable to reach him. As a result, Public Power filed an answer with the PA PUC on March 20, 2015.	
	PECO Energy Company/ Public Power LLC					
March 17, 2015	Pamela Edler	C-2015-2472158	Pennsylvania Public Utility Commission	Customer disputed her early termination fee.	Closed. Customer's This case was settled informally and Public Power filed a Certificate of Satisfaction on April 2, 2015.	
	Public Power, LLC					

ATTACHMENT 26-2

LITIGATION FOR APPLICANT AND AFFILIATES

Applicant states whether it is the subject of any lawsuits filed in a court of law or formal complaints filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations, identifying the name, case number, and jurisdiction of each such lawsuit or complaint. [19-110(d)]

DATE COMMENCED	ACTION	JURISDICTION	SUBJECT MATTER	STATUS	NUMBER OF CUSTOMERS
April 5, 2012	Arbitration between Suzanne Caruso and Viridian Network, LLC	American Arbitration Association Commercial Arbitration Tribunal	Independent Contractor alleged improper termination	The arbitrator dismissed plaintiff's claims and awarded Viridian Network and certain affiliates approximately \$12,000 in costs. On August 2, 2012 Caruso filed to vacate the award (see below).	N/A Viridian Network LLC does not serve any customers
August 2, 2012	Susan Caruso v. Viridian Network, Michael Fallquist and Robert McFadden	Supreme Court of the State of New York Index NO. 652686/2012	Order sought to vacate arbitration award	Arbitration was overturned by State Court	N/A Viridian Network LLC does not serve any customers
March 21, 2013	Scott R. Bernard v. Public Power LLC	Circuit Court of Cook County, Illinois	Customer alleges that he did not receive the rate that he signed up for and unfair marketing practices	On March 5, 2015, the Court dismissed the case in favor of Public Power. On March 6, 2015, Plaintiff filed an appeal to this decision in the Circuit Court of Cook County, Illinois County Department, and Chancery Division.	██████
January 21, 2014	Philip Charvat v. FTR Energy Services, LLC	Connecticut District Court No. 3:14-CV-73	Customer alleged violations of federal telemarketing laws	The parties are conducting discovery.	██████

* This number represents Everyday Energy, LLC (f/k/a FTR Energy Services, LLC) served by this entity across all jurisdictions. Everyday Energy, LLC does not provide energy supply service to Connecticut customers and Plaintiff seeks to form a class of customers across multiple jurisdictions.

ATTACHMENT 6

June 13, 2014	City of Chicago v. Public Power	Administrative subpoena No. 14-CUB-101	Investigation into several retail energy providers to determine whether certain retail energy providers engaged in price gouging during the winter of 2013-2014	Public Power timely responded to the subpoena on July 11, 2014	██████
August 25, 2014	Henry Daniyan v. Viridian Energy, LLC	Maryland District Court No. 1:14-CV-2715	The action seeks to form a class of customers who were on a variable rate and thought they would save money based on marketing.	Viridian filed a brief in support of its motion to dismiss on January 25, 2015	██████ Customers across all markets where Plaintiff seeks to form a class
November 24, 2015	Lori Sanborn v. Viridian Energy, LLC	Connecticut District Court No. 3:14-CV-01731	The action seeks to form a class of customers who were on a variable rate that was not tied to wholesale power market rates.	Viridian filed a motion to dismiss on January 23, 2015.	██████ Customers in CT and MA, where Plaintiff seeks to form a class
April 22, 2015	David Steketee v. Viridian Energy, LLC	Connecticut District Court No. 3:15-CV-00585	The action seeks to form a class of customers who were on a variable rate that was not tied to wholesale power market rates	Viridian plans to file a response.	██████ Customers in NJ, where Plaintiff seeks to form a class

ATTACHMENT 6

May 11, 2015	Lawrence H. Lempert v. Viridian Energy, Inc. and Viridian Energy PA, LLC	Connecticut District Court No. 3:15-CV-00703	The action seeks to form a class of customers who were on a variable rate that was not tied to wholesale power market rates	Viridian plans to file a response.	<div></div> Customers in PA where Plaintiff seeks to form a class
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